**South Carolina General Assembly**

118th Session, 2009-2010

**S. 868**

**STATUS INFORMATION**

General Bill

Sponsors: Senator Knotts

Document Path: l:\council\bills\ggs\22357ab09.docx

Introduced in the Senate on May 20, 2009

Currently residing in the Senate Committee on **Judiciary**

Summary: Administrative law judge

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

5/20/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\05-20-09.docx)‑5

5/20/2009 Senate Referred to Committee on **Judiciary** [SJ](file:///h:\SJ%20Archive\2009\05-20-09.docx)‑5

1/20/2010 Senate Referred to Subcommittee: Campbell (ch), Knotts, Campsen, Lourie

**VERSIONS OF THIS BILL**

[5/20/2009](file:///p:\pprever\2009-10\868_20090520.docx)

**A** **BILL**

TO AMEND SECTION 1‑23‑540, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO COMPENSATION AND WORK REQUIREMENTS FOR ADMINISTRATIVE LAW COURT JUDGES, SO AS TO PROVIDE CIRCUMSTANCES WHEN THESE JUDGES MAY RECEIVE MILEAGE AND SUBSISTENCE ALLOWANCES AND THE AMOUNT OF THESE ALLOWANCES; AND TO PROVIDE AN ADMINISTRATIVE LAW COURT JUDGE MONTHLY SHALL PROVIDE A REPORT OF HIS ABSENCES FROM THE COURT DURING NORMAL BUSINESS HOURS OF THE COURT TO THE CHIEF JUDGE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 1‑23‑540 of the 1976 Code is amended to read:

“Section 1‑23‑540. (A) The chief judge (Seat 1) shall receive as annual salary an amount equal to ninety percent of ~~that~~ the salary paid to the circuit court judges of this State. The remaining judges shall receive as annual salary an amount equal to eighty percent of ~~that~~ the salary paid to the circuit court judges of this State. ~~They are not~~ An administrative law court judge must not be allowed ~~any fees~~ a fee or ~~perquisites~~ perquisite of office, ~~nor~~ and may ~~they~~ not hold ~~any other~~ another office of honor, trust, or profit.

(B) ~~Administrative law judges in the performance of their duties are also entitled to that per diem, mileage, expenses, and subsistence as is authorized by law for circuit court judges.~~ An administrative law court judge may receive:

(1) no mileage allowance or subsistence allowance for travel from his residence to the court’s office in Columbia or for conducting official business, holding court, or traveling within the county in which he resides;

(2) a mileage allowance for travel as provided for other state employees and a subsistence allowance of thirty‑five dollars a day when he is assigned by the chief judge to conduct official business fifty miles or more from the court’s office in Columbia;

(3) a mileage allowance as provided for other state employees and a daily subsistence allowance in an amount equal to the daily subsistence allowance for members of the General Assembly when he is assigned by the chief judge to conduct official business one hundred miles or more from the court’s office in Columbia; and

(4) reimbursement of actual travel expenses incurred in connection with his conduct of official business outside the State or with his attendance at a conference.

(C) ~~Each~~ An administrative law judge:

(1) shall devote full time to his duties as an administrative law judge~~,~~;  ~~and~~

(2) during his term of office may not practice law ~~during his term of office, nor may he during this term~~ or be a partner or associate with anyone engaged in the practice of law in this State; and

(3) monthly shall provide a report of his absences from the court during normal business hours of the court to the chief judge.”

SECTION 2. This act takes effect upon approval by the Governor.

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